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ABSTRACT

The practices of media personnel regarding the duplication of copyrighted materials were studied through an opinionnaire designed to elicit responses (yes/no/perhaps) to 24 hypothetical work situations involving the possible duplication of seven categories of copyrighted media: film, filmstrips, videotapes, records, audio tapes, slide/tape series, and printed matter. The opinionnaire was distributed to those who attended the Ninth Annual Educational Media and Technology Conference, July 22-24, 1974, at the University of Wisconsin - Stout, Menomonie, Wisconsin. Over 160 responses came from media and library personnel of all professional levels, as well as from graduate students, teachers, and media sales representatives. Responses were tabulated by type of media in question and by professional status of the respondent. It was concluded that reproduction would have occurred in the majority of cases. Learning resource directors were the group most willing to reproduce all types of copyrighted media; library directors and salesmen were in the groups least likely to do so. Audio tapes were the media most frequently copied; films and slide/tapes, the least frequently copied. This report includes a literature review on copyright principle and legislation. (SL)

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A STUDY OF VARIOUS EDUCATIONAL MEDIA PERSONNEL AND THEIR PRACTICES REGARDING THE REPRODUCTION OF COPYRIGHTED WORKS

by

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A Research Paper

Submitted to Complete the

Plan B Requirements in

407-722
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TABLE OF CONTENTS

CHAPTER		PAGE
I.	INTRODUCTION TO THE STUDY	1
	Statement of the Problem	2
	Purpose of the Study	2
	Method of the Study	3
	Scope and Limitations	4
	Basic Assumptions	5
	Definition of Terms	5
II.	REVIEW OF THE LITERATURE	7
	Historical Background	7
	Copyright Principles and Technology	10
	Copyright Principles	10
	Technology	12
	Infringement v. Fair Use in Educational Media . . .	15
	Current Court Decisions on Copyright	18
III.	METHODS AND PROCEDURES OF THE STUDY	21
	Population Used in the Study	21
	The Instrument	22
	Method of Distribution and Collection	23
	Rate of Return	24
	Method of Analysis	24

CHAPTER PAGE

IV. ANALYSIS OF THE DATA 25

Total Responses of Educational Media Personnel to Copyright Situations 26

Total Responses to Each Situation 29

Copyright Situations Grouped According to Media Type 37

Responses to Situations by Respondent Groups . . . 38

V. SUMMARY, CONCLUSIONS AND RECOMMENDATIONS 51

Statement of the Problem 51

Purpose of the Study 51

Method of Study 52

Findings 52

Conclusions 54

Recommendations 55

BIBLIOGRAPHY 56

APPENDIX 58

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LIST OF TABLES

TABLE		PAGE
I.	Total Responses in Percentage of Educational Media Personnel Completing the Copyright Opinionnaire Listed According to Professional Status	26
II.	The Mean and Standard Deviations of Educational Media Personnel Completing the Copyright Opinionnaire Stated Individually and Totally According to Professional Status	28
III.	Responses of All Participants in Percentage According to Each Question on the Copyright Opinionnaire	30
IV.	Copyright Situations Grouped According to Media Type	37
V.	Responses of Learning Resource Directors in Percentage Specifying Type of Media Reproduced	39
VI.	Responses of Media Directors in Percentage Specifying Type of Media Reproduced	40
VII.	Responses of Library Directors in Percentage Specifying Type of Media Reproduced	41
VIII.	Responses of Media Coordinators in Percentage Specifying Type of Media Reproduced	42

TABLE PAGE

IX. Responses of Librarians in Percentage Specifying Type of Media Reproduced 43

X. Response of Media Specialists in Percentage Specifying Type of Media Reproduced 44

XI. Responses of Audio-Visual Specialists in Percentage Specifying Type of Media Reproduced 45

XII. Responses of Consultants in Percentage Specifying Type of Media Reproduced 46

XIII. Responses of Teachers in Percentage Specifying Type of Media Reproduced 47

XIV. Responses of A-V Students in Percentage Specifying Type of Media Reproduced 48

XV. Responses of Salesmen in Percentage Specifying Type of Media Reproduced 49

XVI. Responses of Others in Percentage Specifying Type of Media Reproduced 50

CHAPTER I

INTRODUCTION TO THE STUDY

The issue of Copyright is an important one in our country and is of special concern to everyone in the educational community.[1] Both educators and producers of educational media are presently operating under the basic U.S. Copyright Laws which have not been revised since 1909. With the advent of recent technological advances, information and instructional materials are easily accessible to educators. "To add to the difficulty, the Copyright Act is itself rather oddly constructed."[2] No direct allusion to "education" or "instruction" appears anywhere in the Copyright Act. "As a consequence, hard and fast rules for educators and institutions are extremely difficult for even experienced lawyers to provide in the face of the rather indefinite perimeters of Copyright protection"[3] Both educators and lawyers are attempting to fit current educational media practices into the 1909 statutory pattern to the best possible advantage.

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[1] "To Steal or Not to Steal," Filmstrip, California Association for Educational Media and Technology and Educational Media Producers Council, 1973.

[2] Eugene N. Aleinikoff, "Copyright Considerations in Educational Broadcasting," AV Guide, 52:14, February, 1973.

[3] Ibid.

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A review of literature revealed the lack of studies and a need for revision of current Copyright Laws. Successive attempts for updating the U.S. Copyright Law of 1909 have consistently failed. The necessity for revision has been recognized recently and efforts have been increased to review and revise Copyright Laws.

STATEMENT OF THE PROBLEM

Few studies had been conducted to show that there was a need for researching the problem of Copyright treatment in educational media. Since no concrete laws existed, people did not comply or self-enforce the law.

It is important to protect the rights of creators, but also to disseminate their works so that others may benefit from their knowledge and discoveries. The issue of "fair use" in Copyright treatment had been discussed to a broad degree. No one, however, had taken the time or effort to find out what educational media personnel (who have access to the copyrighted works as well as the advanced copying equipment) were doing in their actual work situations.

PURPOSE OF THE STUDY

The purpose of this study was to ascertain what Media personnel were practicing regarding the duplication of copyrighted materials. Who was infringing and to what degree was also revealed by the study.

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It is very necessary and important for lawmakers to consider the practices of media personnel before determining just and reasonable legislation of the Copyright Law. This study attempted to reflect the copying policies actually being practiced by media personnel and hoped to offer evidence of current practices which would eventually lead to revision and updating of an antiquated Copyright Law.

METHOD OF STUDY

The methods used in conducting this study were: 1) A review of current literature (research studies, books, journals, magazines, government publications) related to Copyright Law in educational media; 2) Personal interviews with various authorities on Copyright Law; 3) An opinionnaire designed to assess current practices of educational media personnel in regards to copyright treatment in possible work situations.

The population of this study included various educational media personnel gathered at the University of Wisconsin--Stout, Menomonie, Wisconsin, on July 22, 23 and 24, 1974, for the Ninth Annual Educational Media and Technology Conference.

An opinionnaire was developed to ascertain how various media personnel treat Copyright Law in their actual work experiences through hypothetical situations designed to be infringements of the existing Copyright Law.

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A total of 232 opinionnaires were distributed. At the end of the three-day conference, 164 opinionnaires were returned. These 164 completed opinionnaires represent a 70.6[illegible] per cent rate of return.

Data collected by the opinionnaire was tabulated and analyzed to determine what various educational media personnel would do in given situations in relation to Copyright Law. A teletype computer system owned by the University of Wisconsin--Stout was used to compute the data. Computer print-outs were furnished and are incorporated into tables in this study for simplification.

SCOPE AND LIMITATIONS

This study was limited to those participants attending the Ninth Annual Educational Media and Technology Conference held July 22, 23 and 24, 1974, at the University of Wisconsin--Stout, Menomonie, Wisconsin.

The study was also limited to Copyright treatment in Education by educational media personnel.

The findings and conclusions reached in this study are only indicative of current practices by media personnel and their treatment of Copyright Law and do not attempt to determine the legality of their responses. Due to the ambiguity of the Copyright Law, participants may have answered the opinionnaire according to their interpretation of the law rather than their actual work practice.

This study has a broad scope and can be applied to all people involved in educational media. Also, the study should be significant to lawmakers and those individuals engaged in the study, review and revision of the current Copyright Law.

BASIC ASSUMPTIONS

This study assumed that all participants who answered the opinionnaire were qualified educational media personnel and typical of individuals involved in educational media because of their presence at the Ninth Annual Educational Media and Technology Conference.

DEFINITION OF TERMS

Relevant Copyright terminology has been defined in order to avoid confusion when used further in the study. Significant terms have been used with the following definitions:

Copyright

"Copyright" is a constitutional right authorized by the United States Government to the creator of a work which permits the creator to control the printing, reprinting, reproduction or copying of his or her work in any way, shape or form.

Copyright Law

The Congress shall have Power . . .

To promote the Progress of Science and the useful Arts, by securing for limited Times to Authors and Inventors the Exclusive Right to their respective Writings and Discoveries . . .
To make all Laws which shall be necessary and proper for carrying into Execution the Foregoing Powers . . .

Fair Use

"Fair Use" is considered to be the free and legal use of a reproduced copyrighted work without the owner's consent, for purposes such as criticism, comment, news reporting, teaching and research. The following are criteria for "Fair Use":

1) The purpose of the use.

2) The nature of the work copied.

3) The amount copied in relation to the total work.

4) Effect on the potential market value.

5) The length of time that one keeps the copy.

Infringement

A copyrighted work is "infringed" when a substantial portion of the work is copied without permission from the owner of the work.

Public Domain

Any published material sold in this country which does not have a Copyright notice.

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[4]Margaret Nicholson, A Manual of Copyright Practice for Writers, Publishers, and Agents (second edition; New York: Oxford University Press, 1956), p. 3.

CHAPTER II

REVIEW OF THE LITERATURE

Literature regarding Copyright is reviewed in this chapter. A plethora of books, magazines and studies define copyright and discuss its principles and historical background. The amount of literature dwindles, however, when one attempts to define "infringement" versus "fair use".

HISTORICAL BACKGROUND

> Since the dawn of history, man has had the desire to transmit to future generations his epics, sagas, and traditions. At first, this was done by word of mouth, but as his knowledge increased, he improved his method of storing information. As time passed, the means of storage changed from memory, to cave drawings, to clay tablets, and finally to paper.[1]

The church dominated the history of "copying the written word." After the fall of the Roman Empire, secular writings were replaced as the book industry of western Europe dwindled and changed character.[2]

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[1]Arnold Kepple, "Educators Guide to the Copyright Laws" (unpublished, Master's thesis, Stout State University, Menomonie, Wisconsin, 1970), p. 4.

[2]George A. Gipe, Nearer to the Dust (Baltimore: The Williams & Wilkins Co., 1967), p. 17.

"The transition of book production by hand to printing by means of movable type is certainly one of the most dramatic events in human history."[3] Johannes Gutenberg is attributed to having perfected movable type. William Caxton, however, began England's first printing press in 1476. From that time until the first copyright law was enacted, proprietorship belonged to the publisher rather than to the author.

Because of political and religious turmoil, Philip and Mary chartered the Stationers' Company (in 1557) which was given the exclusive right to all printing and the Crown controlled all printing.

After the invention of the printing press, when books began to bring profit, the problems of proprietorship became more complex. With this mechanical means of reproduction came literary piracy.[4]

"If it can be said that 'copyright' existed before 1709, it might best be defined as 'stationer's copyright' or 'publisher's copyright'."[5] The British Copyright Act of 1709 better known as

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[3] Ibid., p. 18.

[4] Margaret Nicholson, A Manual of Copyright Practice for Writers, Publishers, and Agents (second edition; New York: Oxford University Press, 1956), p. 3.

[5] J. Clement Harrison, "History," Copyright Current Viewpoints on History, Laws, Legislation, Allen Kent and Harold Lancour, editors (New York: R.R. Bowker Company, 1972), p. 2.

the Statute of Anne gave legal recognition to the author for the first time in history. American copyright laws were patterned after the Statute of Anne. The first United States Copyright Act was passed in 1790. This act allowed copyright coverage for fourteen years with a renewal period of an additional fourteen years.

Since that time several laws and revisions have been made. An 1802 revision made it necessary to print the copyright notice next to the title page. An 1819 act gave the United States Circuit Court original jurisdiction in copyright cases. An 1831 amendment included musical compositions into the realm of protection. An 1846 act required two copies be given to the government. An 1870 act replaced all other acts and added to the list such things as paintings, drawings, statues, and models. In 1909 a law was passed similar to the one of 1870. The only changes were an extension of time to twenty-eight years and a renewal period of twenty-eight years. This law is still in effect today.

Copyright law also has its foundations in Article I, Section 8, of the Constitution:

> The Congress shall have Power . . . To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries; . . .[6]

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[6]The United States Constitution, Article 1, Section 8, Clause 8.

COPYRIGHT PRINCIPLES AND TECHNOLOGY

Copyright Principles. Copyright has been defined by Pilpel and Goldberg as:

> . . . a statutory grant to a copyright owner of a complete monopoly over the copyrighted work. It gives him sole control over the reproduction and sale of copies of the work in any form . . . in any medium. The work may not be printed, published, dramatized, translated, adapted, broadcasted or in any other way reproduced in any version without the consent of the copyright owner.[7]

In reverse English "copyright" is simply "the right to copy."[8]

Section 5 of the Copyright Act specifies thirteen distinct categories of copyright protection. They are:

A. Books, including composite and cyclopaedic works, directories, gazeteers, and other compilations

B. Periodicals, including newspapers

C. Lectures, sermons, addresses (prepared for oral delivery)

D. Dramatic or dramatico musical compositions

E. Musical compositions

F. Maps

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[7]Harriet F. Pilpel and Morton David Goldberg, A Copyright Guide (New York: R.R. Bowker Company, 1960), p. 1.

[8]"The Editors Guide to Copyright," Impact (Newsletter on Trends, Techniques, and Tools for Communication No. 136, Chicago: Robert Leon Baker, 1972), p. 1.

G. Works of art

H. Reproductions of works of art

I. Drawings or plastic works of scientific or technical character

J. Photographs

K. Prints and pictorial illustrations

L. Motion picture photoplays

M. Motion pictures other than photoplays[9]

Works that are not copyrightable include:

A. Works of a fraudelent, libelous, treasonable, immoral, or obscene nature.[10]

B. News, facts

C. Titles

D. Names

E. Calendars having no text or pictures

F. Laws and opinions of the court

G. Works in the public domain

H. Government publications

I. Systems, schemes, methods, plans

J. Works on which copyright has expired[11]

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[9] Ibid.

[10] Ibid.

[11] Nicholson, op. cit., p. 15.

Valid copyright is procured by first writing to: The Registrar of Copyrights, Copyright Office, The Library of Congress, Washington, D.C. 20540. Copyright notice must be printed on the publication before application for copyright is made. The work must be published and then may be registered upon completion of forms and submission of a six dollar fee.

Technology. "Prior to the mid-twentieth century, the lifting and dissemination of material from a printed text or written manuscript was accomplished by one of several rather inconvenient methods."[12] Technology has made both the equipment and materials easily accessible today.

In 1954, William R. Hawken wrote an article called "New Methods for Photocopying," in which he described a dozen machines. Eight years later, the magazine Administrative Management published a survey which examined and reported on 106 machines by thirty-four manufacturers. In March of 1963, the same magazine surveyed 174 machines from thirty-nine manufacturers.[13]

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[12] Gipe, op. cit., p. 42.

[13] Ibid., p. 48.

The photocopying industry is a quarter of a billion dollar per year industry and has raised a constant 20 per cent per year for the past six years.[14]

> Photocopying machines, once considered highly specialized apparatus for big, expensively equipped offices, have become much simpler and cheaper, and very popular during the past several years. Most offices of any size, nowadays, have at least one copying device in use and are saving a great deal of time and money by using it.[15]

In addition to photocopying machines, an information explosion triggered an increase of both print and non-print media. "By 1950 it was estimated that knowledge was doubling every decade, and in the 1960's the rate has accelerated to the point where it is doubling every seven years."[16]

The growth of the computer industry, especially in government and education has significantly affected copying.

With the advent of these recent technological advances the ability to duplicate, store and transmit audio and visual materials has increased significantly. These developments promised

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[14]William R. Hawken, "Repographic Technology: Present and Future," Repography and Copyright Law, Lowell H. Hattery and George P. Bush, editors (Washington: American Institute of Biological Sciences, 1964), p. 49.

[15]Gipe, op. cit., p. 49. [16]Ibid., p. 90.

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to make ideas and information more accessible to all learners, teachers, and scholars. As educational media and methods became more sophisticated and complex, instructional materials became increasingly indispensable to educators. Consequently, traditional concepts as to what constitutes teaching materials and their use now requires review and revision.[17]

"Educators are not the sole source of concern to media producers, but they are a group to which our profession has a clear responsibility."[18] Current copyright laws do not clearly define what an educator can and cannot do. "Many copyright problems center around the audio-visual program in the school."[19] A fundamental problem to all teachers is the development of a workable knowledge of copyright law for use in the classroom.[20]

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[17]Eugene N. Aleinikoff, "Copyright Considerations in Educational Broadcasting," AV Guide, 52:14, February, 1973.

[18]Richard W. Gilkey, "Copyright: Technology, Ethics and Instruction," Technology and Copyright, George P. Bush, editor (Maryland: Lomond Systems, Inc., 1972), p. 233.

[19]Owen Love, "Audio Visual Materials and Education," Reprography and Copyright Law, Lowell H. Hattery and George P. Bush, editors (Washington: American Institute of Biological Sciences, 1964), p. 6.

[20]Ibid.

INFRINGEMENT v. FAIR USE IN EDUCATIONAL MEDIA

"Over the years, many publishers have been disturbed at what they felt were frequent violations of copyright provisions by teachers, through the use of modern duplicating processes."[21] The only exception to the copyright monopoly is the use permitted under the doctrine of "fair use". "Fair use" is a use of copyrighted material which is permitted by law even though no express authorization is granted by the copyright owner.[22] The courts have defined "fair use" as "that extra-legal use that is usual, reasonable, and customary."[23]

According to the California Association for Educational Media and Technology and the Educational Media Producers Council, "fair use" is defined as the "free and legal reproduction of copyrighted works for purposes such as criticism, news reporting, teaching, scholarship or research."[24] "Fair use is a question that arises when there is a public rather than a private use."[25] No recognition is given to the

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[21] Ibid.

[22] Pilpel and Goldberg, op. cit., p. 22.

[23] Nicholson, op. cit., p. 91.

[24] "To Steal or Not to Steal," Filmstrip, California Association for Educational Media and Technology and Educational Media Producers Council, 1973.

[25] Ralph R. Shaw, "Copyright in Relationship to Copying Scholarly Materials," Reprography and Copyright Law, Lowell H. Hattery and George P. Bush, editors (Washington: American Institute of Biological Sciences, 1964), p. 95.

issue of "fair use" in the Constitution or the Copyright Law.[26]

A few factors considered when determining "fair use" include:

1. purpose and character of the use
2. nature of copyrighted work
3. amount and substantiality of portion used in relation to the whole
4. effect of use upon potential market.

Harold Wigren, Division of Educational Technology, NEA, in a paper published in 1968 entitled "Current Status and Issues: Copyright Law Revision Situation," lists more criteria for determining "fair use." Several of these include:

1. nonprofit character of school
2. whether or not materials were consumable
3. whether any charge was made
4. whether the teacher acted on his own volition
5. copying for teacher's own use or class
6. spontaneous or not

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[26] Jackson S. Saunders, "Origin of 'Gentlemen's Agreement' of 1935," Repography and Copyright Law, Lowel H. Hattery and George P. Bush, editors (Washington: American Institute of Biological Sciences, 1964), p. 159.

Gilkey stated:

> This is of little guidance to the teacher. A single page may be copied and used, but to copy fifty pages is an infringement. Where is the line drawn between one and fifty? The crossover point is not clear.[27]

An infringement occurs "when, without the permission of the copyright owner, a substantial portion of it is copied."[28] It is generally held that there cannot be a copyright infringement unless there has been direct copying of the copyrighted work.[29] Copying without the owner's permission is an infringement even if it is in a different medium.[30]

In Professor Ralph R. Shaw's book, Library Property in the United States, Dr. Shaw stated:

> . . . The differentiation between fair use and infringement is fundamentally a problem of balancing what the author must dedicate to society in return for his statutory copyright . . . against undue appropriation of balancing what society has promised the author in terms of protection of his exclusive right.[31]

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[27]Gilkey, loc. cit. [28]Pilpel and Goldberg, op. cit., p. 19.

[29]Martin Leach and Cross Feldman, "The Relationship between Copyright and Unfair Competition Principles," ASCAP Copyright Law Symposium, Number Ten (New York: Columbia University Press, 1959), pp. 271-272.

[30]Nicholson, op. cit., p. 98.

[31]Walter L. Pforzheimer, "Historical Perspective on Copyright Law and Fair Use," Repography and Copyright Law, Lowell H. Hattery and George P. Bush, editors (Washington: American Institute of Biological Sciences, 1964), p. 30.

CURRENT COURT DECISIONS ON COPYRIGHT

Two very significant court decisions in relation to copyright in education follow.

The Williams & Wilkins Company v. The United States was the first court case which represented a landmark decision involving massive unauthorized photocopying of copyrighted works. Commissioner James F. Davis found in favor of the publisher against the United States Department of Health, Education and Welfare and its National Institute of Health (NIH) and its National Library of Medicine (NLM).

> . . . The issues raised by this case are but a part of a larger problem which continues to plague our institutions . . . how best to reconcile, on the one hand, the technological improvements in copying techniques and the legitimate public need for rapid dissemination of scientific and technical literature.[32]

In the 1964 case of Wihtol v. Crow, defendant Crow, a music teacher and choir director, arranged one of plaintiff composer's songs for his school choir. This he duplicated on the school's copy machine. He then distributed one to each member of his class. The arrangement was performed publicly and was such a success the defendant offered it to the plaintiff. The plaintiff sued and defendant Crow pleaded "fair use" and claimed that the plaintiff had only taken a folk song already in the public domain. The district

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[32]United States Court of Claims, No. 73-68, Filed February 16, 1972, The Williams & Wilkins Company v. The United States.

court concluded that:

1. The use of the new arrangement by the school and church choirs on one occasion was not an infringement.
2. The song in suit was a copyrighted work, which the plaintiff can protect and defend against all infringement.
3. The plaintiff had the right to the copyrighted song and obviously the defendant had no right whatever to copy it.
4. Simply because the infringer had no intent to infringe was not represented by "fair use".

"Obviously, the court has no special sympathy for Cross as an educator. It sees him standing in the position of any other infringer."[33]

"Clearly a revolution has been wrought."[34] A review of possible revisions has been under study since 1955 by the Library of Congress and various Congressional committees. The Ad Hoc Committee (of Educational Organizations and Institutions) on Copyright Law Revision has been in existance since 1964. Revision efforts still continue.

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[33]Nancy Schuster and Marc J. Bloch, "Mechanical Copying, Copyright Law and the Teacher," Technology and Copyright, George P. Bush, editor (Maryland: Lomond Systems, Inc., 1972), pp. 341-342.

[34]Gipe, op. cit., p. 49.

This study, however, was not concerned with possible revision attempts; but, instead, it surveyed current practices and the extent of probable violations. "Over the years, many publishers have been disturbed at what they felt were frequent violations of copyright provisions by teachers, through the use of modern duplicating processes. No statistical evaluation to determine the extent of such violations has been made."[35] The data analyzed in the following chapter does just that.

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[35]Love, loc. cit.

CHAPTER III

METHODS AND PROCEDURES OF THE STUDY

In order to ascertain what Media personnel were practicing regarding the duplication of copyrighted materials, data was collected by means of a Copyright Opinionnaire. In addition to the opinionnaire an investigation of available literature was reviewed and terms to be used in the study were defined. The data was then analyzed and presented in order to offer conclusions and recommendations regarding the practices of educational media personnel (who have access to copyrighted works as well as the advanced copying equipment).

An in-depth discussion of the population, instrument, method of distribution and collection, rate of return and method of analysis follows.

POPULATION USED IN THE STUDY

The opinionnaire was distributed to various educational media personnel gathered at the Ninth Annual Educational Media and Technology Conference, July 22-24, 1974, at the University of Wisconsin--Stout, Menomonie, Wisconsin. The professional status of the media personnel attending the conference included: 1) Learning Resource Directors, 2) Media Directors, 3) Library Directors, 4) Media Coordinators, 5) Librarians, 6) Media Specialists,

7) Audio-Visual Specialists, 8) Consultants, 9) Teachers, 10) Audio-Visual Communication Graduate Students, 11) Sales Representatives of media-oriented firms and 12) Others including library aides, media aides, communication technicians and specialists in the Communications field.

This population represented various parts of the United States as well as various levels of educational media personnel. Because of this population's proximity to media, the issue of copyright law is apparent daily in work situations.

THE INSTRUMENT

An opinionnaire was developed to ascertain how various media personnel treat Copyright law in their actual work experiences through hypothetical situations designed to be infringements of the existing Copyright Law. Considering the "fair use" doctrine some of the situations may be interpreted by some individuals to be free of infringement and justified as "fair use". (See Appendix A for a copy of the Copyright Opinionnaire)

When developing the opinionnaire the following criteria were taken into consideration: 1) Copying of various media (print and non-print); 2) Methods of duplication (photocopy, audio-video, written word); 3) Attempts were made to include all levels of media personnel.

The situations in this instrument pertained to the reproduction of films, filmstrips, video tapes, record albums, audio tapes, slide/tapes and printed matter--primarily books.

The instrument consisted of twenty-four situations representing possible circumstances that may arise in the actual work experience of the participants. Three responses (Yes, Under Certain Circumstances, No) were provided following each situation.

The cases in the opinionnaire were concise and the questions were direct in order to obtain direct answers. A cover page was designed to identify the study, to give direction to complete the study and to ascertain the professional media status of each participant. The participants were to assume that all source materials were copyrighted and that no special copyright permission had been granted in any of the twenty-four situations.

METHOD OF DISTRIBUTION AND COLLECTION

The opinionnaires were administered from the Registration Desk of the Ninth Annual Educational Media and Technology Conference. Each participant was approached personally by the researcher and was requested to participate in the study. Two boxes appropriately marked "Please deposit Copyright Opinionnaire" were placed near the Registration area in the Main Ballroom, University of Wisconsin--Stout, of the conference so the completed opinionnaires would be conveniently returned. A reference to these boxes was made at the conclusion of the opinionnaire.

RATE OF RETURN

A total of 232 opinionnaires were distributed. At the end of the three-day conference, 164 opinionnaires were returned. These 164 completed opinionnaires represent a 70.68 per cent rate of return.

METHOD OF ANALYSIS

The 164 completed opinionnaires were taken to the Center for Research and Educational Improvement at the University of Wisconsin--Stout for complete analysis.

In the twenty-four situations there were three possible answers: Yes, Under Certain Circumstances, No. Responses of Yes were assigned the #1. Responses of Under Certain Circumstances were assigned the #2. Responses of No were assigned the #3. Analysis of data was accomplished by tabulating each response of each opinionnaire for all twenty-four situations.

Interpretation of the results of this study follow in Chapter IV, Analysis of the Data.

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CHAPTER IV

ANALYSIS OF THE DATA

The purpose of this study was to ascertain what educational media personnel were practicing regarding the duplication of copyrighted materials. A total of 232 opinionnaires were distributed to the participants. One hundred and sixty-four opinionnaires were returned representing a 70.68 per cent rate of return. The opinionnaire consisted of twenty-four hypothetical situations involving the reproduction of copyrighted works such as films, filmstrips, video tapes, record albums, audio tapes, slide/tapes, and printed matter--primarily books.

The respondents were asked to choose one of three answers for each situation -- 1) Yes, 2) Under Certain Circumstances, and 3) No. Each situation was designed to be an infringement of copyright law. The participants were to assume that all material was copyrighted and that no special copyright permission had been granted. The respondents were classified in twelve groups. They consisted of: Learning Resource Directors, Media Directors, Library Directors, Media Coordinators, Librarians, Media Specialists, Consultants, Teachers, Audio-Visual Communication Graduate Students, Salesmen, and Others.

TOTAL RESPONSES OF EDUCATIONAL MEDIA PERSONNEL
TO COPYRIGHT SITUATIONS

Table I reflects in per cent to what degree the various media personnel would reproduce copyrighted material. Insight into the general treatment of duplication of all types of copyrighted works is given in this table.

TABLE I

TOTAL RESPONSES IN PERCENTAGE OF EDUCATIONAL MEDIA PERSONNEL COMPLETING THE COPYRIGHT OPINIONNAIRE LISTED ACCORDING TO PROFESSIONAL STATUS

Group	Professional Status	Total #	Percentage of Responses		
			Yes	Under Certain Circumstances	No
1	Director, Learning Resources	11	49.6	23.3	27.1
2	Media Director	14	44.0	22.4	33.6
3	Library Director	5	28.2	12.9	58.9
4	Media Coordinator	7	44.6	19.9	35.5
5	Librarian	17	36.3	24.1	39.6
6	Media Specialist	16	33.4	19.1	47.5
7	Audio-Visual Specialist	15	31.2	31.1	37.7
8	Consultant	5	38.1	31.5	30.4
9	Teacher	24	31.2	24.0	44.8
10	Student (A-V)	16	35.3	26.1	38.6
11	Salesman	5	9.7	37.0	53.3
12	Other	29	28.4	23.2	48.4

As indicated in Table I, the total responses in percentage of all twelve groups vary considerably. It should be noted that the Learning Resource Directors responding to the opinionnaire stated that they would permit the reproduction of copyrighted materials in 49.6 per cent of the situations. While in contrast, 58.9 per cent of the Library Directors indicated they would not duplicate copyrighted materials. In agreement with the Library Directors, the Sales Representatives of media-oriented firms responded to 53.3 per cent of the situations by say "No" they would not duplicate copyrighted works. These Salesmen answered "Yes" to the copying of copyrighted works in 9.7 per cent of the situations which represents the lowest percentage of "Yes" responses.

A 44 per cent response of "Yes" was given by the Media Directors in answer to the twenty-four situations. Also, in 44.6 per cent of the situations, the Media Coordinators had a positive response. Others, the largest group studied, stated they would not reproduce copyrighted works 48.4 per cent of the time.

It should be noted that the two smallest groups studied, Library Directors and Salesmen, stated by 53 per cent or more that they would not produce copyrighted material. The final item for consideration in Table I was the manner in which situations were answered. Few individuals in any group studied would reproduce copyrighted materials "Under Certain Circumstances".

To determine the extent to which participants of the study deviate from the average participants studied, the mean and standard deviation of all twelve groups are analyzed in Table II.

TABLE II

THE MEAN AND STANDARD DEVIATIONS OF EDUCATIONAL MEDIA PERSONNEL COMPLETING THE COPYRIGHT OPINIONNAIRE STATED INDIVIDUALLY AND TOTALLY ACCORDING TO PROFESSIONAL STATUS

Group	Professional Status	Mean	Standard Deviation
1	Director, Learning Resources	42.6	8.6
2	Media Director	45.3	9.6
3	Library Director	55.6	9.1
4	Media Coordinator	45.7	8.4
5	Librarian	48.1	9.3
6	Media Specialist	50.1	9.5
7	Audio-Visual Specialist	47.8	5.5
8	Consultant	44.8	12.0
9	Teacher	49.5	10.0
10	Student (A-V)	48.8	10.6
11	Salesman	59.4	5.9
12	Other	51.8	9.5
	Average	49.0	9.6

The average mean of the scored participants was 49.0 ranging on a scale from 24.0 to 72.0. If a participant answered all twenty-four situations in the opinionnaire with "Yes" responses, the participant would have received a total score of 24.0 (one point for each answer). A score of 72 was given to those participants answering all of the twenty-four situations by responding "No" (three points were assigned for each answer). Two participants answered "Yes" to all twenty-four situations representing a 0.01 per cent of the sample. No participants had all negative answers.

The Learning Resource Directors had the lowest mean score of 42.6. The Salesmen had the highest mean score of 59.4. In conclusion, Table II includes the average mean (49.0) and the standard deviation (9.6) for all groups studied.

TOTAL RESPONSES TO EACH SITUATION

The data analyzed in Table III relates the total responses of all participants in percentage pertaining to each individual situation. The percentage of response to each situation is listed according to the three responses of "Yes", "Under Certain Circumstances" and "No".

Highlights and important factors shown in Table III follow.

TABLE III

RESPONSES OF ALL PARTICIPANTS IN PERCENTAGE ACCORDING TO EACH QUESTION ON THE COPYRIGHT OPINIONNAIRE

Situation Number	Percentage of Responses		
	Yes	Under Certain Circumstances	No
1	20.1	28.0	51.8
2	52.4	20.7	26.8
3	49.4	20.1	30.5
4	48.8	28.7	22.6
5	40.2	24.4	35.4
6	43.9	20.7	35.4
7	28.0	15.2	56.7
8	17.7	20.7	61.6
9	45.7	34.1	20.1
10	67.1	22.0	11.0
11	57.9	29.9	12.2
12	61.6	21.3	27.4

TABLE III (continued)

Situation Number	Percentage of Responses		
	Yes	Under Certain Circumstances	No
13	51.2	21.3	27.4
14	17.1	18.3	64.6
15	39.0	26.2	34.8
16	4.9	16.5	78.7
17	11.0	27.4	61.6
18	10.4	20.7	68.3
19	34.8	24.4	40.2
20	29.3	32.3	38.4
21	45.1	29.3	25.0
22	11.0	17.1	72.0
23	13.4	26.2	60.4
24	55.5	24.4	20.1

A 78.7 negative response represented the highest percentage of any one response throughout the entire survey. This response relates to the following situation. (Situation 16)

> An instructor is photocopying an entire book in the Duplicating Center. Would you permit this copying if you were aware of it?

This 78.7 per cent response indicated that the participants would not permit the reproduction of a book. Proportionately, a mere 4.9 per cent of all participants indicated that they would copy the book.

Similarly, a high negative response was given to Situation 22 which read:

> A music instructor receives a volume of classical music on record albums for audio preview. Due to the high cost of the volume, the instructor brings the records to you for tape duplication. Would you duplicate the record albums?

Only 11 per cent of the entire population indicated they would duplicate the record album. An overwhelming majority of 72 per cent responded "No" which indicated that they would not duplicate the record albums.

On the other hand, the highest "Yes" response to any given situation was to the following. (Situation 10)

> A teacher asks you (A-V Specialist) to tape the audio portion of an educational television program at home one evening. He plans to playback the tape at the next class meeting. Would you record the program?

Of all participants surveyed, 67.1 per cent indicated they would duplicate the audio portion of an educational television production. Only 11 per cent would not record the program.

The reproduction of an entire televised production (both audio and video) received a somewhat lower response in the following situation. (Situation 24)

> A political science professor requests that the nationally-televised Watergate hearings be video taped so that he may use them in his classes in the Fall. Would you meet his request?

A slight majority of 55.5 per cent responding to the study would video tape the Watergate hearings as opposed to 24.4 per cent who would copy under certain circumstances while the remaining 20.1 per cent would not copy the program.

In relation to video taping, the majority generally would not duplicate film on video tape. The following situations deal with the copying of film on video tape. (Situation 8)

> A television coordinator of a large school district decides to copy a number of films on video tape so that they may be televised on the district's closed circuit system when requested. Would you do this?

A large proportion, 61.6 per cent of the participants studied stated they would not duplicate the film on video tape for closed circuit broadcast.

In agreement, 51.8 per cent responded "No" to the following situation. (Situation 1)

> The Media Coordinator of a school district instructs his Media Specialist to record a video tape of a prevelw film (16mm) on loan so that other teachers may preview the film at their leisure. As Media Director, would you permit this?

On the other hand, a majority of respondents agreed that they would duplicate in the following situation. (Situation 12)

> A prominent speaker visits a university to address the student body. The Student Government requests the Learning Resource Center to video tape the presentation for later use and reference. As LRC Director, would you permit your staff to tape the event?

The 61.6 per cent majority of those responding stated they would video tape the presentation.

Duplication of a slide/tape series was opposed in the following situation. (Situation 18)

> A photography teacher frequently uses a slide/tape series from a well-known photographic company for instructional use. He asks you to duplicate the slides and tape for him so that he may have his own copy of the package. Would you authorize the duplication?

Of the entire population 68.3 per cent replied that they would not copy the slide/tape while 10.4 per cent indicated that they would authorize the duplication.

A similar situation follows. (Situation 7)

> A school Media Center purchases a copy of a slide/tape series. Due to its heavy use the Center decides to make four additional complete copies to meet the demand. Would you fulfill the center's request?

The majority (56.7 per cent) agreed they would not fulfill the center's request and would not duplicate a slide/tape.

The results also reveal a negative response in the following situation. (Situation 14)

> The Theater Arts Department of a school is putting on a copyrighted play. The play director has a copy of the play but needs 20 additional copies for each actor in the play. Would you make copies for him?

Most of the respondents, 64.6 per cent, indicated they would not copy the play. Only 17.1 per cent of those studied would copy the play while 18.3 per cent would copy the play "under certain circumstances".

The responses in regard to the duplication of records varied according to the situation. The first situation involving duplication of record albums reads: (Situation 2)

> A Media Center records cassette copies of electronic music from record albums. They will keep the record as a master and use the tapes for distribution. Would you do this?

Of the 164 respondents, 52.4 per cent stated they would record the music from the record album. In contrast, the majority would not duplicate a recording in the following situation. (Situation 23)

> Professor X has access to a particular work (record album) at another university. Professor X checks the work out of his school library and sends it to his colleague, Professor Y, at your university. Professor Y, at your university. Professor Y brings it to you for duplication. Would you duplicate the recording knowing where it came from?

A 60.4 per cent of those surveyed would not copy the record album knowing where it came from. A small 13.4 per cent said they would copy it.

Finally, the following situations concern the copying of a copyrighted book. (Situation 17)

> A chemistry lab instructor has one copy of a 30-page workbook. The instructor would like the students to use parts of the book. He asks the Duplicating Center to copy 24 of the pages making 50 copies of each page. Would you copy the workbook as requested?

A 61.6 per cent of the responses indicated they would not copy the workbook while only 11 per cent said they would. In contrast, the following situations revealed a positive response. (Situation 11)

> An art instructor requests the A-V Specialist to copy art reproductions from a copyrighted book onto 35mm slides. He wishes to use the slides for instructional comparison. Would you do this?

The majority, 57.9 per cent of the total participants, said they would duplicate the art reproductions. Of those studied, 12.2 per cent would not reproduce the art work.

Situation 13 reads:

> A math teacher requests that a chart in a book be copied and enlarged so that a transparency may be made for instructional purposes. He would also like 200 printed copies. Would you fulfill his request?

Of the 164 participants studied, 51.2 per cent said they would permit the reproduction of the chart.

COPYRIGHT SITUATIONS GROUPED ACCORDING
TO MEDIA TYPE

The twenty-four situations of the opinionnaire were classified according to the type of media reproduced. The seven media types were: 1) films, 2) film strips, 3) video tapes, 4) record albums, 5) audio tapes, 6) slide/tape series, 7) books and printed matter. For example, situations one and eight refer to the reproduction of film, the first category in Tables V through VI.

TABLE IV

COPYRIGHT SITUATIONS GROUPED ACCORDING
TO MEDIA TYPE

Media	Situations
Film	1, 8
Film Strip	15
Video Tape	5, 12, 19, 24
Record Album	2, 22, 23
Audio Tape	4, 9, 10
Slide/Tape	7, 18
Book (printed matter)	3, 6, 11, 13, 14, 16, 17, 20, 21

RESPONSES TO SITUATIONS BY RESPONDENT GROUPS

The response in percentage of each group (one through twelve) according to the type of media reproduced is indicated in Tables V through XVI. Table V represents responses of the Learning Resource Directors to each type of media reproduced. Table VI indicates the replies of the Media Directors. Table VII represents the answers given by the Library Directors. Table VIII indicates the responses of the Media Coordinators to each type of media reproduced. Table IX denotes the responses of the Librarians. Table X illustrates the responses of the Media Specialists. Table XI indicates the replies of the A-V Specialists to each type of media reproduced. Table XII represents the responses of the Consultants. Table XIII indicates the replies of Teachers to each type of media reproduced. Table XIV denotes the responses of the A-V Students. Table XV represents the responses of Salesmen. Table XVI, the final table, indicates the responses of Others to the type of media reproduced.

An analysis of Tables V through XVI follows.

TABLE V

RESPONSES OF LEARNING RESOURCE DIRECTORS
IN PERCENTAGE SPECIFYING TYPE
OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	36.4	13.6	50.0
Film Strip	54.5	36.4	09.1
Video Tape	61.3	27.3	11.4
Record Album	36.3	24.3	39.4
Audio Tape	72.7	24.2	03.1
Slide/Tape	40.9	13.6	45.5
Book	45.4	23.3	31.3

The most significant percentage, 72.7 per cent of the Learning Resource Directors indicated that they would reproduce or copy an audio tape. Only 9.1 per cent of the Learning Resource Directors said they would not reproduce video tapes. In comparison to all of the groups surveyed, it is worth noting that the Learning Resource Directors indicated they would reproduce the different types of media more so than any other group.

TABLE VI

RESPONSE OF MEDIA DIRECTORS IN PERCENTAGE SPECIFYING TYPE OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	21.4	21.5	57.1
Film Strip	64.3	21.4	14.3
Video Tape	50.0	25.0	25.0
Record Album	26.2	19.1	54.7
Audio Tape	71.4	26.2	2.4
Slide/Tape	28.6	25.0	46.4
Book	46.0	18.3	35.7

A majority of 71.4 per cent of Media Directors surveyed would duplicate audio tapes while 2.4 per cent would refrain from copying audio tapes. Surprisingly 64.3 per cent of all Media Directors stated they would copy a film strip. In contrast, only 21.4 per cent said they would copy a film.

TABLE VII

RESPONSES OF LIBRARY DIRECTORS IN PERCENTAGE SPECIFYING TYPE OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	30.0	10.1	60.0
Film Strip	40.0	20.0	40.0
Video Tape	40.0	15.0	45.0
Record Album	20.0	00.0	80.0
Audio Tape	33.3	20.0	46.7
Slide/Tape	10.0	10.0	80.0
Book	24.4	15.6	60.0

The most significant aspects of Table VII pertain to the reproduction of slide/tapes and record albums. In both categories 80 per cent of the Library Directors stated they would not copy slide/tapes and record albums. Similarly, 60 per cent of the Library Directors said they would not copy print material and film.

TABLE VIII

RESPONSE OF MEDIA COORDINATORS IN PERCENTAGE SPECIFYING TYPE OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	28.5	28.6	42.9
Film Strip	57.1	00.0	42.9
Video Tape	57.1	21.5	21.4
Record Album	42.9	04.8	52.3
Audio Tape	62.0	28.5	09.5
Slide/Tape	28.6	28.6	42.8
Book	36.5	27.0	36.5

As indicated in Table VIII, audio tapes would be duplicated by 62 per cent of the Media Coordinators. The Media Coordinators (57.1 per cent) stated they would reproduce film strips and video tapes.

TABLE IX

RESPONSE OF LIBRARIANS IN PERCENTAGE SPECIFYING TYPE OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	20.6	32.4	47.0
Film Strip	41.2	17.6	41.2
Video Tape	50.0	29.4	20.6
Record Album	31.4	21.6	47.0
Audio Tape	55.0	27.4	17.6
Slide/Tape	20.6	17.7	61.7
Book	35.3	22.9	41.8

Fifty per cent of all the Librarians questioned indicated that they would duplicate video tapes. A majority of 61.7 per cent stated that they would not duplicate slide/tapes.

TABLE X

RESPONSE OF MEDIA SPECIALISTS IN PERCENTAGE SPECIFYING TYPE OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	15.6	15.7	68.7
Film Strip	50.0	00.0	50.0
Video Tape	40.6	29.7	29.7
Record Album	27.1	18.7	54.2
Audio Tape	50.0	29.2	20.8
Slide/Tape	15.7	15.6	68.7
Book	34.7	25.0	40.3

Of the Media Specialists analyzed in Table X, 68.7 per cent indicated they would not reproduce films or slide/tapes.

TABLE XI

RESPONSE OF AUDIO-VISUAL SPECIALISTS IN PERCENTAGE SPECIFYING TYPE OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	06.7	23.3	70.0
Film Strip	20.0	53.3	26.7
Video Tape	50.0	35.0	15.0
Record Album	20.0	31.1	48.9
Audio Tape	68.9	24.5	06.6
Slide/Tape	13.4	30.0	56.6
Book	39.3	20.7	40.0

As indicated in Table XI, 68.9 per cent of the Audio-Visual Specialists stated they would duplicate audio tapes. In contrast, 70 per cent indicated that they would not duplicate a film.

TABLE XII

RESPONSES OF CONSULTANTS IN PERCENTAGE SPECIFYING TYPE OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	40.0	30.0	30.0
Film Strip	40.0	40.0	20.0
Video Tape	60.0	15.0	25.0
Record Album	26.7	26.6	46.7
Audio Tape	40.0	46.7	13.3
Slide/Tape	20.0	20.0	60.0
Book	40.0	42.2	17.8

Sixty per cent of the consultants indicated that they would reproduce video tape. On the other hand, 60 per cent stated that they would not reproduce a slide/tape.

TABLE XIII

RESPONSES OF TEACHERS IN PERCENTAGE SPECIFYING TYPE OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	14.6	33.3	52.1
Film Strip	25.0	33.3	41.7
Video Tape	53.1	17.7	29.2
Record Album	26.4	22.2	51.4
Audio Tape	50.0	25.0	25.0
Slide/Tape	12.5	14.6	72.9
Book	36.6	22.2	41.2

Of all Teachers studied in Table XIII, 72.9 per cent stated they would not duplicate slide/tapes. In contrast, 53.1 per cent stated they would copy a video tape.

TABLE XIV

RESPONSES OF A-V STUDENTS IN PERCENTAGE SPECIFYING TYPE OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	21.9	25.0	53.1
Film Strip	43.8	25.0	31.2
Video Tape	46.9	29.7	23.4
Record Album	29.2	25.0	45.8
Audio Tape	45.8	33.4	20.8
Slide/Tape	28.1	18.8	53.1
Book	31.2	25.7	43.1

Of the sixteen Audio-Visual Communications Graduate Students studied, 53.1 per cent indicated they would not duplicate films and slide/tapes.

TABLE XV

RESPONSES OF SALESMEN IN PERCENTAGE SPECIFYING TYPE OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	10.0	40.0	50.0
Film Strip	20.0	60.0	20.0
Video Tape	20.0	35.0	45.0
Record Album	00.0	33.3	66.7
Audio Tape	13.3	33.3	53.4
Slide/Tape	00.0	20.0	80.0
Book	04.4	37.8	57.8

The data analyzed in Table XV refers to the practices of Sales Representatives. Eighty per cent of the salesmen stated that they would not copy slide/tape. It is significant to note that in two instances (the duplication of slide/tape and record albums) a zero per cent was scored.

TABLE XVI

RESPONSES OF OTHERS IN PERCENTAGE SPECIFYING TYPE OF MEDIA REPRODUCED

Media Reproduced	Percentage of Responses		
	Yes	Under Certain Circumstances	No
Film	13.8	20.7	65.5
Film Strip	31.0	24.2	44.8
Video Tape	43.1	31.0	25.9
Record Album	18.4	19.5	62.1
Audio Tape	50.6	29.9	19.5
Slide/Tape	14.7	12.9	72.4
Book	27.2	45.5	48.4

The final table refers to Others, the largest group studied. A significant 72.4 per cent of this group stated they would not reproduce a slide/tape series. In addition, 65.5 per cent indicated they would not reproduce film.

CHAPTER V

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Statement of the Problem

Few studies had been conducted to show that there was a need for researching the problem of Copyright treatment in Educational Media. No concrete laws existed, therefore, people did not comply or self-enforce the law. No study revealing the copying policies of educational media personnel in reference to copyrighted works had been done.

Purpose of the Study

The purpose of this study was to ascertain what media personnel were practicing regarding the duplication of copyrighted materials. Who was infringing and to what degree was also revealed by the study.

It is very necessary and important for lawmakers to consider the practices of media personnel before determining just and reasonable legislation of the Copyright Law. This study attempted to reflect the copying policies actually being practiced by media personnel and hoped to offer evidence of current practices which would eventually lead to revision and updating of an antiquated Copyright Law.

Method of Study

The methods used in conducting this study were: 1) A review of current literature (research studies, books, journals, magazines, government publications) related to Copyright Law in educational media; 2) Personal interviews with various authorities on Copyright Law; 3) An opinionnaire designed to assess current practices of educational media personnel in regards to copyright treatment in possible work situations.

Findings

From the analysis of data the following findings are summarized:

1. Forty-nine per cent of the Learning Resource Directors would reproduce copyrighted works.

2. Of the Media Directors studied, 44 per cent would duplicate copyrighted works.

3. Similarly, 44.6 per cent of the Media Coordinators would duplicate copyrighted works.

4. Of all Library Directors, 58.9 per cent would not reproduce copyrighted works.

5. Of the Salesmen studied, 53.3 per cent said they would not copy copyrighted works.

6. Others, the largest group surveyed revealed they would not reproduce copyrighted works 48.4 per cent of the time.

7. The average mean of all twelve groups studied was 49.0. The lowest mean of 42.6 was held by Learning Resource Directors. The highest mean score of 59.4 was held by the Salesmen.

CONCLUSIONS

Based on the analysis of the data, the following conclusions were reached:

1. Reproduction would have occured in a majority of the situations. Therefore, the participants were more likely to duplicate copyrighted materials than not.

2. The Learning Resource Directors were willing to reproduce copyrighted materials of all types more readily than any other of the twelve groups studied.

3. The Library Directors and Salesmen, the two smallest groups studied, would be the groups most likely not to duplicate copyrighted materials.

4. The Media most frequently copied were audio tapes.

5. The Media most infrequently copied were films and slide/tapes.

RECOMMENDATIONS

The findings of this study suggest the following recommendations:

1. Media personnel should analyze their practices and policies in regards to the reproduction of copyrighted materials.
2. That a study be conducted to determine why educational media personnel, especially those at the administrative levels, violate the copyright law.
3. That those individuals actively engaged in the revision of the copyright law should encourage the lawmakers to resolve the ambiguity that now exists in the law in relation to copyright and its treatment in education.
4. That studies be done in various other locations of the United States to ascertain what educational media personnel practice in relation to the reproduction of copyrighted materials.
5. That lawmakers should consider the practices of educational media personnel before implementing legislation.

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APPENDIX A

OPINIONNAIRE ON COPYRIGHT TREATMENT

A Graduate Study

conducted by

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Professional Media Status (Please Check One)

( ) Director, Learning Resources
( ) Media Director
( ) Library Director
( ) Media Coordinator
( ) Librarian
( ) Media Specialist
( ) Audio-Visual Specialist
( ) Consultant
( ) Teacher
( ) Student (A-V)
( ) Other _____

DIRECTIONS: After you have read carefully each statement, check the appropriate response which best describes what you would do in your actual work situation. The purpose of this study is not to question the legality of the situation but to determine what you would do. Assume that no special copyright permission has been obtained in any of the following situations and that all source materials are copyrighted.
DO NOT SIGN THIS OPINIONNAIRE.

1. The Media Coordinator of a school district instructs his Media Specialist to record a video tape of a preview film (16mm) on loan so that other teachers may preview the film at their leisure.
As Media Director, would you permit this?

___ Yes ___ Under Certain Circumstances ___ No

2. A Media Center records cassette copies of electronic music from record albums. They will keep the record as a master and use the tapes for distribution. Would you do this?

___ Yes ___ Under Certain Circumstances ___ No

3. An instructor asks you to photocopy 15 pages from a 32-page chapter of a copyrighted book for use as lesson plans. Would you fulfill the request?

___ Yes ___ Under Certain Circumstances ___ No

4. A teacher checks out an audio tape cassette from the library and makes a copy in the Media Center for playback. Would you permit this?

___ Yes ___ Under Certain Circumstances ___ No

5. The athletic director of a school requests the Media Center to video tape a nationally televised football game so that his team may view the game at a later date. Would you tape the program for him?

___ Yes ___ Under Certain Circumstances ___ No

6. While reading, a geography instructor finds an appropriate map of the United States in a copyrighted book. The instructor asks you to photocopy the map and make 250 copies, one for each student in his classes.
Would you copy this?

___ Yes ___ Under Certain Circumstances ___ No

7. A school Media Center purchases a copy of a slide-tape series. Due to its heavy use the Center decides to make four additional complete copies to meet the demand. Would you fulfill the center's request?

___ Yes ___ Under Certain Circumstances ___ No

8. A television coordinator of a large school district decides to copy a number of films on video tape so that they may be televised on the district's closed circuit system when requested. Would you do this?

___ Yes ___ Under Certain Circumstances ___ No

9. A Learning Resource Center regularly duplicates audio tape cassettes for its teachers. Would you do this?

___ Yes ___ Under Certain Circumstances ___ No

10. A teacher asks you (A-V Specialist) to tape the audio portion of an educational television program at home one evening. He plans to playback the tape at the next class meeting. Would you record the program?

____ Yes ____ Under Certain Circumstances ____ No

11. An art instructor requests the A-V Specialist to copy art reproductions from a copyrighted book onto 35mm slides. He wishes to use the slides for instructional comparison. Would you do this?

____ Yes ____ Under Certain Circumstances ____ No

12. A prominent speaker visits a university to address the student body. The Student Government requests the Learning Resource Center to video tape the presentation for later use and reference. As LRC Director, would you permit your staff to tape the event?

____ Yes ____ Under Certain Circumstances ____ No

13. A math teacher requests that a chart in a book be copied and enlarged so that a transparency may be made for instructional purposes. He would also like 200 printed copies. Would you fulfill his request?

____ Yes ____ Under Certain Circumstances ____ No

14. The Theater Arts Department of a school is putting on a copyrighted play. The play director has a copy of the play but needs 20 additional copies for each actor in the play. Would you make copies for him?

____ Yes ____ Under Certain Circumstances ____ No

15. A Foods teacher receives a free-loaned copy of a filmstrip illustrating the various cuts of beef and their characteristics. It is difficult to obtain the filmstrip for a later viewing due to its free use and heavy booking. The teacher asks you to copy on 35mm slides 15 of the 20 beef cuts so that he may use them at his discretion. Would you copy them?

____ Yes ____ Under Certain Circumstances ____ No

16. An instructor is photocopying an entire book in the Duplicating Center. Would you permit this copying if you were aware of it?

____ Yes ____ Under Certain Circumstances ____ No

17. A chemistry lab instructor has one copy of a 30-page workbook. The instructor would like the students to use parts of the book. He asks the Duplicating Center to copy 24 of the pages making 50 copies of each page. Would you copy the workbook as requested?

____ Yes ____ Under Certain Circumstances ____ No

18. A photography teacher frequently uses a slide-tape series from a well-known photographic company for instructional use. He asks you to duplicate the slides and tape for him so that he may have his own copy of the package. Would you authorize the duplication?

___ Yes ___ Under Certain Circumstances ___ No

19. One of the school's faculty members is featured on a talk program at a local (network-affiliated) television station. His department chairman asks you to video tape the program. Would you video tape the program without permission from the television station?

___ Yes ___ Under Certain Circumstances ___ No

20. A graduate student has just completed a significant research study. A faculty member interested in the study checks it out of the library and brings it to you for duplication. Would you duplicate the study?

___ Yes ___ Under Certain Circumstances ___ No

21. A school tennis instructor finds a well-illustrated tennis book in the Library. He asks the Media Center to make transparencies of each illustration in the book. Would you make the transparencies?

___ Yes ___ Under Certain Circumstances ___ No

22. A music instructor receives a volume of classical music on record albums for audio preview. Due to the high cost of the volume, the instructor brings the records to you for tape duplication. Would you duplicate the record albums?

___ Yes ___ Under Certain Circumstances ___ No

23. Professor X has access to a particular work (record album) at another university. Professor X checks the work out of his school library and sends it to his colleague, Professor Y, at your university. Professor Y brings it to you for duplication.
Would you duplicate the recording knowing where it came from?

___ Yes ___ Under Certain Circumstances ___ No

24. A political science professor requests that the nationally-televised Watergate hearings be video taped so that he may use them in his classes in the Fall. Would you meet his request?

___ Yes ___ Under Certain Circumstances ___ No

THANK YOU FOR YOUR COOPERATION. Please deposit your completed opinionnaire in the appropriate boxes at the Registration Desk.